

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CHRISTINA MONGELLI,

Plaintiff,

v.

RED CLAY CONSOLIDATED SCHOOL DISTRICT  
BOARD OF EDUCATION; IRWIN J. BECNEL, JR.,  
CHARLES CAVANAUGH, GARY LINARDUCCI,  
LORETTA C. RICE, JAMES D. TAYLOR, MARTIN A.  
WILSON, SR., INDIVIDUALLY AND IN THEIR  
OFFICIAL CAPACITIES AS MEMBERS OF THE RED  
CLAY CONSOLIDATED SCHOOL DISTRICT BOARD OF  
EDUCATION; ROBERT J. ANDRZEJEWSKI,  
INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS  
SUPERINTENDENT OF THE RED CLAY  
CONSOLIDATED SCHOOL DISTRICT; AND RED CLAY  
CONSOLIDATED SCHOOL DISTRICT,

Defendants.


C.A. No. 05-359 SLR

TRIAL BY JURY DEMANDED

MOTION TO DISMISS AND/OR FOR AN ORDER AWARDING  
THE INDIVIDUAL DEFENDANTS QUALIFIED IMMUNITY

Defendants, by and through the undersigned counsel, hereby move to dismiss all claims under Title VII of Civil Rights Action 1964, filed against the individual Defendants and/or for an order awarding the individual Defendants qualified immunity from Plaintiff's claims under 42 U.S.C. § 1983 and the Fourteenth Amendment to the United States Constitution.

YOUNG CONAWAY STARGATT & TAYLOR, LLP



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Attorneys for Defendants

Dated: September 6, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that on September 6, 2005, I electronically filed a true and correct copy of the foregoing Motion to Dismiss, with the Clerk of the Court using CM/ECF, and further caused a copy of same to be served by hand-delivery on the following counsel of record:

Joseph M. Bernstein, Esquire  
800 North King Street, Suite 302  
Wilmington, DE 19801

YOUNG CONAWAY STARGATT & TAYLOR, LLP



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Dated: September 6, 2005